

ARTICLE 100.**ADOPTION OF MODEL TECHNICAL CODES.****Section 101. Adoption of model technical codes and administrative regulations.**

- (a) The current editions of the following listed model technical codes and all accompanying appendices, amendments and modifications adopted by the Building Codes Division, Montana Department of Commerce (or its successor), as set out in the Administrative Rules of Montana, as amended from time to time by the Building Codes Division, are adopted by reference and incorporated in this article as if set forth in full, except for any exceptions noted in this chapter or any regulations not applicable to local government jurisdictions. These codes are applicable to all buildings within the building code enforcement area of the Yellowstone County, Montana, including but not limited to, residential buildings containing less than five dwelling units or their attached-to structures, any farm or ranch building, and any private garage or private storage structure used only for the owner's own use as provided by Section 50-6-102(1) (a), MCA.

The CABO One-and Two-Family Dwelling Code published by the Council of American Building Officials. The provisions of this code shall regulate minimum standards and requirements for the construction, prefabrication, alteration, repair, use, occupancy and maintenance of detached one-or two-family dwellings not more than three (3) stories in height and their accessory structures.

The Model Energy Code published by the Council of American Building Officials. The provisions of this code provide minimum requirements for the design of new buildings and structures, and additions to existing buildings, regulating their exterior envelopes and selection of their heating, ventilation, air conditioning, service water heating, electrical distribution, and illuminating systems and equipment for effective use of energy.

The National Electrical Code published by the National Fire Protection Association. The provisions of this code shall serve as minimum standards and requirements for electrical installations.

The Uniform Building Code and the Uniform Building Code Standards published by the International Conference of Building Officials. The provisions of this code shall regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion,

occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the county and its jurisdictional area providing for issuance of permits and collection of fees therefore.

~~The Uniform Code for the Abatement of Dangerous Buildings published by the International Conference of Building Officials. The provisions of this code provide a just, equitable and practicable method, to be cumulative with and in addition to, any other remedy provided by the building code, housing code or otherwise available at law whereby buildings or structures in the county or its jurisdictional area which from any cause endanger the life, limb, health, morals, property, safety, or welfare of the general public or their occupants, may be required to be repaired, vacated, or demolished.~~

The Uniform Code for Building Conservation published by the International Conference of Building Officials, which encourages the continued use or reuse of legally existing buildings and structures.

~~The Uniform Housing Code published by the International Conference of Building Officials, which regulates and controls the use and occupancy, location and maintenance of all residential buildings and structures within the county and its jurisdictional area.~~

The Uniform Mechanical Code published by the International Conference of Building Officials, which shall establish and provide minimum standards to safeguard life or controlling the design, construction, installation, quality of materials, location, operation, and maintenance of use of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat producing appliances within the county and its jurisdictional area; providing for issuance of permits and collections of fees; and penalties.

The Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials. The provisions of this code regulate all plumbing and gas piping systems within the county and its jurisdictional area.

(b) One (1) copy of each code shall be on file in the office of the county clerk and recorder.

- (c) Any codes or amendments adopted by the Building Codes Division which apply to local government jurisdictions, including the adoption of the latest editions of the model technical codes or applicable Administrative Rules of Montana, shall become effective in the county ninety (90) days after the date that the division notifies the county of said amendments.

State law reference(s)--Adoption of codes by reference, MCA 7-5-108.

Section 102. Permit fees.

Permit fees shown on Tables No. ___ building, ___ electrical, ___ mechanical, ___ plumbing, and ___, ___ grading, in the Uniform Administrative Code, shall be in the amounts as set forth in the fee schedule of the county and not as provided in the code. Such fee schedule shall be established by council resolution from time to time

Section 103. Building permit evaluation of and provision for public improvements

- (a) *Review of permit applications.* Applications for building permits shall be reviewed by the building official, or other person or department designated by the county commission, to determine whether the proposed construction will require the installation or construction of public improvements **as identified in the Subdivision Improvements Agreement or other improvements** such as street or alley paving, curbs, gutters, sidewalks, drainage facilities, water and sewer facilities, or other public improvements **that may be required under other county regulations.**
- (b) *Conditions in permit.* If it is determined that installation or construction of public improvements are necessitated by the proposed construction, a condition shall be inserted in the building permit which shall require the construction of such public improvements by the permittee and the dedication thereof to the county. The cost of any such improvements shall be borne by the permittee, and the construction thereof shall be at the sole cost, risk and expense of the permittee, subject to the provisions of any applicable county resolution, regulations or policies.

- (c) *Applicability.* The provisions of this section shall not apply in those instances where a subdivision improvements agreement applicable to the tracts, lots or parcels upon which construction is proposed is on record.

Section 104. Validity of permits.

The issuance or granting of a permit under any of the model technical codes or the approval of plans, specifications and computations shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of the model technical codes or any other ordinance of the county. A permit presuming to give authority to violate or cancel the provisions of the model technical codes or other ordinances of the county shall not be valid

Section 105. Board of appeals.

- (a) *Appeals within the county.* For appeals involving property within the county jurisdictional area, the board of appeals referenced in the model technical codes shall consist of members who are qualified by experience and training to pass upon matters pertaining to building construction. The members shall not be employees of the jurisdiction. A building official shall be an ex-officio member of the board, but shall have no vote on any matter before the board. The building official shall act as secretary of the board. The board of appeals members who are not ex-officio shall be appointed by the county commission. The board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. The board of appeals shall consist of the building official and six (6) appointed members. The six (6) appointed members of the board shall consist of one (1) individual from each of the following designated categories:

Architect

Engineer

Builder/developer

Plumbing contractor

Electrical contractor

One (1) member of public at large

The members shall have four-year terms. All vacancies shall be filled for the unexpired term.

Section 106. Violations.

Violation of the model technical codes or Administrative Rules of Montana, as adopted in section 6-101, or any other provision of articles 100, 200, 300, and 400, is a misdemeanor. A person convicted of a violation shall be subject to the penalties of section _____. Each day that the violation continues is a separate offense, and shall be punished accordingly.

ARTICLE 200. BUILDING CODE

State law reference(s)--State building code, MCA 50-60-201 et seq.; municipal and county building codes, MCA 50-60-301 et seq.

Section 201. Amendments and additions.

The following indicated sections of the Uniform Building Code are amended or added as follows:

(1) ~~Section 104(e) is amended as follows~~

~~"Section 104(e) Moved Buildings and Temporary Buildings."~~

~~"Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures."~~

~~"Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the building official for a limited period of time. Such buildings or structures need not comply with the type of construction or fire resistive time periods required by this code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit. In addition all moved and temporary buildings shall meet and comply with Yellowstone County Resolution, _____, Demolition and Moving of Buildings."~~

(2) *Section 106.2* is amended to add another exemption from a building permit:

- (12) Farm and ranch accessory structures such as livestock barns, hay sheds, equipment storage, agriculture fences or similar uses directly related to agricultural operations. Structures are limited to one thousand (1,000) square feet and do not include habitable structures (i.e., residence, shop). Structures must be located a minimum of twenty (20) feet from property lines and twenty (20) feet from other structures on the same lot. This does not exempt a developer from meeting local zoning standards.

~~(3) *Section 301(b)2* is amended as follows:~~

~~"Section 301(b) 2. Fences not over thirty (30) inches high. (See Yellowstone County Resolution _____ Section _____)."~~

~~(4) *Section 302(b)* is amended as follows:~~

~~"Section 302(b) Plans and Specifications. Plans, engineering calculations, diagrams and other data shall be submitted in one or more sets with each application for a permit. The building official shall require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such."~~

~~"EXCEPTION: The building official shall waive the submission calculations, etc., if the building official finds that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code."~~

~~"i. The building official may accept plans, specifications and calculations which are not prepared by an engineer or architect for Group R, Division 1 occupancies not more than two (2) stories in height or having more than three thousand (3,000) square feet of floor area on a floor and for Group R, Division 3 and M occupancies of Type V Construction. Such acceptance shall not, however, waive the requirements of engineering or architectural design as may be required to comply with the general design requirements of the code."~~

- ~~"ii. Factory built (modular) structures for which an insignia has been issued by the Building Standards Bureau, State of Montana, Building Codes Division, need not have plans and specifications submitted for that portion of the structure covered by such insignia. However, application for permit shall include submittal of plans and specifications for foundations and additions to such structures and shall include a plot plan.~~
- ~~"iii. Before a factory built structure inspected in the factory under State of Montana Factory Built Buildings Code No. 40-60-404 is placed within the Yellowstone County Building Jurisdiction, a written permit authorizing each unit shall be obtained from the appropriate county building official. The application for permit shall include plans and specifications for foundations and additions together with a plot plan."~~

~~(5) Section 2907(a) is amended as follows:~~

~~Section 2907(a) General. Footings and foundations, unless otherwise specifically provided, shall be constructed of masonry, concrete or treated wood in conformance with U.B.C. Standard No. 29-3 and all cases shall extend below the frost line. Footings of concrete and masonry shall be of solid material. Foundations supporting wood shall extend at least six (6) inches above the adjacent finish grade. Footings shall have a minimum depth below finished grade as indicated in Table No. 29-A unless another depth is recommended by a foundation investigation. Unless a foundation investigation indicates otherwise, local frost line shall be considered to be thirty-six (36) inches below grade as grade is defined in Section 408. Footings shall extend below frost line a minimum distance equal to the "thickness of footing" as specified in Table 29-A.~~

~~"EXCEPTION: Where a foundation design by an architect or engineer is not provided, footings of the minimum dimensions specified in Table 29-A at the perimeter of a slab on grade which do not carry a floor load need not extend below the frost line, provided that the supported structure is limited to one-story stud bearing wall construction housing a Group M, Division 1 occupancy. Such~~

~~structure shall not be attached to or share a common wall with any other structure(s) unless the foundations have been designed to minimize differential vertical displacement. Structures shall not thereafter be changed in occupancy or number of stories without also meeting all of the requirements of Chapter 29 for new construction. The building official may require an inspection of existing foundations or slabs to verify any claims as to their adequacy prior to the approval of plans or issuance of a permit for change in occupancy or number of stories."~~

~~(6) Section 5301(b), Paragraph 302.1, Exterior Design Conditions table of "The Model Energy Code" is modified in the following particulars:~~

~~Winter Design Dry Bulb 10°F~~

~~Summer Design Dry Bulb 91°F~~

~~Summer Design Wet Bulb 66°F~~

~~Degree Days Heating 7,050~~

~~Degrees North Latitude 45°5'"~~

Section 202. Records and reports.

The county commission shall keep or cause to be kept a record of the number, description, type, occupancy, size, and valuation of every building or structure erected in the county for which certificates or permits are issued. The county commission shall also make a monthly report on or before the tenth day of each month, of the number of permits and certificates issued and the valuation of structures erected within the jurisdictional area of the county and of fees collected during the preceding month.

Section 203. Issuance of other permits.

No plumbing, mechanical or electrical permits shall be issued for a building or structure under the jurisdiction of the county until the building permit has been issued for said buildings or structure.

ARTICLE 300. ELECTRICAL CODE*

***State law reference(s)**--Electrical installations, MCA 50-60-601 et seq.

~~DIVISION 1. — GENERALLY~~**~~DIVISION 2. — LICENSE AND BOND REQUIREMENTS*~~****~~State law reference(s)~~** — Licensing of electricians, MCA 37-68-301 et seq.**~~Section 316. — Electrical contractor's license required.~~**

- ~~(a) — No person shall do electrical contracting in the county without first obtaining a contractor's license from the county. Application for this license shall be made on forms provided by the county and shall include the name and address of the applicant. After approval of the license application and payment of a license fee as prescribed by council resolution, the county shall issue an electrical contractor's license~~
- ~~(b) — An electrical contractor is herein defined as an individual, firm, co-partnership, corporation, association, or combination of these, who undertakes or offers to undertake for another the planning, laying out, supervising, and installing or the making of additions, alterations and repairs in the installation of wiring apparatus and equipment for electric light, heat and power. A registered electrical engineer who plans or designs electrical installations is not an electrical contractor.~~
- ~~(c) — An electrical contractor, if an individual, shall maintain a current master electrician's license issued by the state department of professional and occupational licensing as regulated by the Electrical Law, Rules and Wiring Standards of the State of Montana. An electrical contractor, if a firm or corporation, shall employ a person with the current master electrician's license to supervise any electrical work as regulated by the Electrical Law, Rules and Wiring Standards of the State of Montana.~~
- ~~d) — The state master's license number and the state contractor's license number shall be included on the license application submitted to the county~~

~~Section 318. — License revocation.~~

~~A license of any person engaged in doing electrical work may be revoked by the county commission if it is proven to the satisfaction of the county commission that such person willfully or through carelessness or ignorance violates or permits its employees to violate any of the provisions of this article.~~

Section 319. License not required for wiring by owner in own home.

If any owner wishes to do wiring in the owner's own home, the owner may do so without a license, but the owner must first obtain the electrical permit ~~required by the Uniform Administrative Code; provided, however, that the county may refuse to issue a permit to any person who is not competent to install the electrical work in accordance with the regulations of this article.~~

Section 320. Bonded sign companies.

Bonded sign companies shall be permitted to do wiring in signs and outline lighting on the secondary side of the transformers only. No sign shall be connected to electricity without first having an approval stamp from the county attached thereon.

DIVISION 3. INSPECTIONS.

Section 327. ~~Authority to enter premises and to cut or disconnect wires.~~

Authority to Inspect:

The county shall have the right during reasonable hours to enter any building in the enforcement of this article, or for the purpose of making any inspection or test of the installation of electric wiring, electric devices or electrical material contained therein. ~~and shall have the authority to cause the turning off of all electrical currents and cut or disconnect~~ In cases of an emergency any wire where such electrical currents are dangerous to life or property or may interfere with the work of firefighting, the county shall have the authority to turn off, cut, or disconnect all electrical currents.

At any time that the county is made aware of defective or hazardous installations and/or materials, the county shall notify the owner, the reporting agency, or the power company of

the situation and the need for repairs. In such instances that there is an immediate danger to life or property, the county shall have the authority to require that the power be disconnected.

Section 328. General supervision over wires, poles, etc.

The county is authorized to exercise general supervision over ~~the placing, stringing or attaching of electrical light and power wires, telephone, telegraph, messenger call or other wires, so as to prevent fire, accident or endanger life and property, and any such wires or electrical apparatus now existing, as well as those hereafter constructed and placed, shall be subject to the county's supervision.~~

the installation of utilities to ensure the proper location and conformance with all subdivision improvements agreements and to prevent fire, accidents, or the endangerment of life or property.

~~Section 329. Defective apparatus, etc.~~

~~Whenever any electrical wire or other piece of electrical apparatus is or shall become defective by reason of improper or insufficient insulation or for any other reason becomes dangerous, the county shall at once notify the owner or agent of the premises where the wire or electrical apparatus is located to repair or remove the hazard, and upon the owner's failure to repair, remove or take out of service such within forty-eight (48) hours, the county shall cause such wire or apparatus to be removed at the expense of the owner or agent and such expense shall be assessed by the county commission against such owner or agent~~

~~Section 330. Power to order service stopped.~~

~~The county shall have supervision over all wires, materials, apparatus and fittings used for the translation, transmission or consumption of electric current for light, heat or power, or, for any other purpose, whether new or old; and, whenever any such wires, material, apparatus or appurtenances are, or may become dangerous to life or property, or liable to cause fire, accident or injury, the county may order the owner, agent or user to remove or repair such within forty-eight (48) hours after the receipt of the notice. In case the order is not complied with, the county shall cause the current to be disconnected from the installation, or that part of it which is considered~~

~~hazardous, and all owners, agents, users, light and power companies and others, shall not have the current connected again until the county has given a written permit to do so. All firms, corporations or individuals, whether operating under a regular franchise granted by the county or not, shall, upon written notice from the county, disconnect from any building the service or any circuit as designated by the notice and shall not reconnect the building service or circuit, except upon written notice from the county~~

Section 331. Inspection certificates--Restrictions on issuance generally; inspection requirements generally.

Upon the completion of the wiring or alterations or additions to the wiring of any building, it shall be the duty of the person installing such wiring to notify the county. The county shall inspect the installation within forty-eight (48) hours of the time notice is given, weekends and holidays excepted, and if it is found to be fully in compliance with this article and does not constitute a hazard to life and property, the county shall issue to such person, for delivery to the owners, a certificate of inspection authorizing connection to the electrical service and the turning on of the current. A notice in the form of a tag or label shall be attached to the service switch clearly stating that the work has been passed by the county and is approved for covering; provided, that the county may give temporary permission to furnish electric current to any wires or other equipment for a length of time not exceeding thirty (30) days if it appears that such wires, or equipment may be used safely and that there exists an urgent necessity for such use. All wires which are to be hidden from view shall be inspected before concealment and any person installing such wires shall notify the county, giving the county twenty-four (24) hours in which to make the required inspection before such wires are concealed; provided further, that on large installations where concealment of parts of the wiring proceeds continuously, the person installing the wiring shall give the county due notice and inspections shall be made periodically during the progress of the work.

Section 332. Same--Unlawful to connect service without certificate.

It is unlawful for any electric light or power company or electric utility, to make any electrical connection to any building or premises, until a certificate stating that the wiring has been approved has been issued by the county; provided, that special permission may be given to make a temporary

connection and use portions of the wiring in the building during construction if it appears that this can be safely done and there exists an urgent necessity for such use.

Section 333. Power to re-inspect.

When considered advisable by the county or upon request by the light and power company or the owner or tenant of any building, the county shall make a thorough re-inspection of the installation in any buildings of all electric wiring, electrical devices and electrical material now installed or that may hereafter be installed within the county. When the installation of any such wiring, devices or materials is found to be in a dangerous or unsafe condition, the person owning, using or operating such wiring devices or materials shall be notified and shall make the necessary repairs or changes required to place such wiring, devices or material in a safe condition and have such work completed within four (4) days or any longer period specified by the county in the notice. The county may disconnect or order the discontinuance of electrical service to such wiring, devices or materials found to be defectively installed until the installation has been made safe.

Section 334. Power to order work stoppage.

Work coming under the provisions of this article shall at all times be under the supervision of the county, and for the failure to comply with these provisions; the county may order the stoppage of the work and revoke the permit. In such case it shall be unlawful to further continue work.

Section 335. Fire official authority.

In addition to all other designated county officials, the county fire official shall have full authority under this article to enforce all the provisions thereof.

ARTICLE 400. PLUMBING CODE*.

State law reference(s)--Plumbing installations, MCA 50-60-501 et seq.

~~DIVISION 1. ——— GENERALLY.~~**~~DIVISION 2. ——— LICENSE AND BOND REQUIREMENTS*~~**

~~*State law reference(s) — Licensing of plumbers, MCA 37-69-301 et seq.~~

~~Section 411. Plumbing contractor's license required.~~

- ~~(a) No person shall do plumbing contracting in the county without first obtaining a contractor's license from the county. Application for this license shall be made on forms provided by the county and shall include the name and address of the applicant. After approval of the license application and payment of a license fee as prescribed by council resolution, the county shall issue a plumbing contractor's license.~~
- ~~(b) A "plumbing contractor" is defined in this section as an individual, firm, co-partnership, corporation, association, or combination of these, who undertakes or offers to undertake for another the planning, laying out, supervising, and installing or making the additions, alterations and repairs in the installation of water distribution systems, drainage systems, fixtures, heating systems and the related piping. A registered mechanical engineer who plans or designs plumbing installations is not a plumbing contractor.~~
- ~~(c) A plumbing contractor, if an individual, shall maintain a current master plumber's license issued by the state department of professional and occupational licensing. A plumbing contractor, if a firm or corporation, shall employ an individual with the current master plumber's license to supervise any plumbing work as regulated by the board of plumbing.~~
- ~~(d) The state master's license number and the state contractor's license number shall be included on the license application submitted to the county.~~

~~Section 412. Combination water/sewer utility bond required for plumbing contractors.~~

~~Before issuance of the plumbing contractor's license a surety bond in the amount of ten thousand dollars (\$10,000.00) shall be filed with the county clerk and recorder. No continuation certificates~~

will be accepted. The bond shall provide that the licensee will in good faith perform all of the things required by the county, and shall further provide that any injury to any person or damage to any property caused by the licensee's failure or neglect to conform with any provisions of this article or other ordinance of the county relating to the installation of plumbing piping and equipment shall require the licensee to hold harmless and indemnify any person injured or the owner of any property damaged.

Section 413. License not required by homeowner or appliance dealer.

If any owner wishes to do plumbing in the owner's own home, the owner may do so without a license, but the owner must first obtain the plumbing **permit** required by the Uniform Administrative Code. Minor plumbing work performed by employees or agents of an appliance dealer, incidental to the installation of an appliance purchased from the dealer may be performed without a license, but the dealer must first obtain the permit. required by the Uniform Administrative Code.

ARTICLE 500. MECHANICAL CODE.

***State law reference(s)--**

~~ARTICLE 600. HOUSING CODE*.~~

~~*State law reference(s)--~~ Housing and construction, MCA 7-15-2101 et seq.

~~ARTICLE 700. CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS.~~

~~ARTICLE 800. DEMOLITION AND MOVING OF BUILDINGS*~~

~~*State law reference(s)--~~ Movement of structures affecting utility lines and facilities, MCA 69-4-601 et seq.; special provisions relating to transportation of buildings by motor carriers, MCA 69-12-331.

~~DIVISION 1. GENERALLY~~

~~For the purposes of this article, a building is any structure having a roof with enclosed walls, including but not limited to homes, garages, commercial buildings and sheds. A building, for the purposes of this article, shall not be any motor vehicle or any approved prefabricated building.~~

~~DIVISION 2. MOVING PERMIT~~

~~Section 821. Permit required.~~

~~No person shall engage in the moving or relocation of any buildings within the county without having first obtained a moving permit from the county.~~

~~Section 822 Application for moving permit.~~

~~Application for a moving permit shall be made to the building official on a form furnished by the county. The application shall include, but not be limited to, the following:~~

- ~~(1) The proposed route to be taken, including the location from which and the location to which it is to be moved;~~
- ~~(2) The date of the move and the approximate time needed to move the structure;~~
- ~~(3) The size and a description of the building to be moved, including the length, height and width of the building when loaded and the power and/or units involved;~~
- ~~(4) The estimated gross weight of the building and the vehicles to be used;~~
- ~~(5) A dimensional drawing of the wheel and axle configuration to be used, and anticipated wheel loading;~~
- ~~(6) A signed statement to the effect that he or she has adequate machinery, appliances and equipment for the proposed moving;~~
- ~~(7) A special permit from the Billings Police Department for excess size and weight;~~

- ~~(8) A certificate of authority from the state public service commission to move buildings in the county unless the owner of the structure is moving his own structure;~~
- ~~(9) A special permit from the state department of highways whereby the applicant is authorized to move over state highways, if involved;~~
- ~~(10) All buildings, electrical, plumbing and mechanical permits required to comply with the county building codes;~~
- ~~(11) A bond as required by section 6-1025; and~~
- ~~(12) A certificate of insurance as required by section 6-1025.~~

~~Section 823. Issuance of moving permit.~~

- ~~(a) The county shall not issue a permit required by this division until the applicant has furnished to the county a surety bond and vehicle and general liability policy or policies in the amount of seven hundred fifty thousand dollars (\$750,000.00) per claim and one and one-half million dollars (\$1,500,000.00) per occurrence. The county must be named as an additional coinsured on the vehicle and general liability insurance policies. The county shall be notified ten (10) days prior to any of the policies being canceled or of non-renewal. This notice of cancellation or non-renewal must be mailed to the county building department~~
- ~~(b) Such surety bond shall be filed with the county clerk and recorder. The certificate of insurance along with the respective permit shall be filed with the county building department and shall indemnify the county against any damages to private or public property which may be caused by such person while engaged in or incident to the moving of any building or structure over or upon any street, avenue, alley or private or public place.~~

- ~~(c) The surety bond shall be in the amount of ten thousand dollars (\$10,000.00) and shall be conditioned upon the requirements that such person or business entity, or authorized agent, shall promptly, and within one hundred eighty (180) days, complete the placing of the building upon a proper foundation, and complete the interior and exterior of the building to meet the requirements of the building code and the zoning regulations of the county. Continuation certificates to renew the surety bond will not be accepted.~~

~~Section 826. Restrictions on issuance.~~

~~The following restrictions and conditions shall be observed before the issuance of a permit as required by this division:~~

- ~~(1) No building shall be moved which is in an unsafe condition or liable to collapse.~~
- ~~(2) No building shall be removed to a new location which does not conform to all the requirements for the construction of a new building for a similar use or occupancy in such new location, or which cannot practically be made to conform to such requirements.~~
- ~~(3) The county shall review the proposed route to be taken in the moving of a building and, based on the following criteria, may approve, disapprove or require changes in the proposed route:~~
 - ~~a. Traffic volume;~~
 - ~~b. Street width;~~
 - ~~c. Ability of the roadway to carry heavy loads;~~
 - ~~d. Vertical clearance to overhead facilities~~
 - ~~e. Vertical and horizontal alignment.~~

- ~~(4) The county, when approving a route over which a building is to be moved, may limit the amount of time and the time of day during which the building may be moved over all or any portion of the approved route.~~
- ~~(5) The permit issued by the county shall not allow the removal of or displacement of any overhead wires, posts, trees or light posts without the consent of those owning or using them, or from the county commission. No circuit or box of the county fire alarm system shall be disturbed in any manner except with the permission of the county.~~
- ~~(6) No building which is being moved upon or over any street, alley or property of the county shall be occupied as living quarters while such building is in transit.~~

~~Section 827. Completion and conformance with requirements.~~

~~No person shall rent, lease or sell a building which has been moved to a new location until the improvements to the building are complete and until both the building and the new location conform to all requirements of the building code and zoning ordinances.~~

~~Section 828. Abatement by county.~~

~~If the person or business entity fails or refuses to do the work required by section 6-1025 within one hundred eighty (180) days after moving a building on such property, and, after ten (10) days' written notice having been given to such person or business entity, the county may proceed to complete the work, so as to make the building conform to the building and zoning regulations, and may recover the costs of such work done from the bond posted.~~

~~Section 829. Duties of permittees.~~

~~It shall be the duty of the permittee to move the structure for which a moving permit is granted as expeditiously as possible. No deviation from the assigned route shall be made except with the approval of the county. Upon securing the permit, the permittee shall fully advise the county and any utility companies which may be affected by such moving, advising them of the route to be traversed and when moving operations will commence.~~

~~Section 830. Repair of damages.~~

~~All damages resulting from the moving of a building over any street, avenue or alley, either to structures in or above such streets or alleys, or to private property adjacent, shall be repaired by or at the expense of the permittee, immediately after the building is moved.~~

~~Section 831. Failure to move after notice.~~

~~No person shall willfully refuse to continue the moving of any house, building or structure after the same has been moved upon the public streets, alleys, avenues or property of the county. Upon conviction, said person shall be punished as provided in section 1-110. This provision shall not be enforced against any permittee until the county has served a notice requiring the permittee to continue the movement of the building within three (3) days after service of such notice upon the permittee.~~

~~DIVISION 3. DEMOLITION OR REMOVAL OF BUILDINGS~~**~~Section 840. Demolition permit required.~~**

~~No person shall demolish or remove any building within the county without first obtaining a demolition permit as provided in this division.~~

~~Section 841. Application.~~

~~Application for a demolition permit shall be made to the building official on a form furnished by the county. The application shall be signed and verified by the owner of the structure or the owner's agent and shall include, but not be limited to, the following:~~

- ~~(1) Name and address of the owner of the structure and the location of the building to be demolished or removed~~

- ~~(2) A plan for the demolition, or removal, including a description of the work to be done, and a schedule of time to complete the demolition project;~~
- ~~(3) Location of sites to be used for disposal of debris and proposed routes for transportation of debris to the sites;~~
- ~~(4) If the demolition or removal is to be done by anyone other than the owner, the following shall be provided:~~
 - ~~a. The notarized signature of the owner or the owner's agent authorizing the applicant to obtain a permit for the demolition or removal of the structure;~~
 - ~~b. Name and address of the applicant~~
- ~~(5) The bond required by section 6-1042~~
- ~~(6) Written verification from all affected utilities that the applicant has accomplished the disconnection and/or construction of protective devices required by that agency.~~

~~Section 842. Demolition or removal of building; bond required.~~

~~The county shall not issue a demolition permit until the applicant has furnished to the county a surety bond in the amount of ten thousand dollars (\$10,000.00). Continuation certificates to renew the surety bond will not be accepted. Such bond shall be filed with the county clerk and recorder and shall be conditioned upon the following requirements~~

- ~~(1) That such person or business entity owning the property from which the building is to be removed or torn down, or an authorized agent, shall promptly remove or demolish the building and shall remove any remaining foundation walls, fill in any existing holes left on the property, level the property and remove all debris and junk from the property, within thirty (30) days after the removal or tearing down of the building. The building official may permit the owner to retain the foundation if it is safe to do so and the owner or the owner's agent either removes the foundation to a depth of twelve (12) inches below grade or leaves~~

~~an existing hard surfaced slab covering the foundation. In either case, the owner shall prepare and sign an affidavit in a form acceptable to the county commission or their designee acknowledging the existence of the subsurface foundation walls. The owner or the owner's agent shall file the affidavit with the Yellowstone County clerk and recorder's office so that it runs with the land. Prior to release of the surety bond, the owner or owner's agent must provide the county commission or their designee with satisfactory proof that the affidavit was recorded;~~

~~(2) That any damage to rights of way be immediately corrected~~

~~(3) That all utilities be disconnected or protected as required by each utility; and~~

~~(4) That all applicable laws are complied with.~~

~~Section 843. Fees.~~

~~The applicant for a demolition permit shall pay to the county for the issuance of the permit at the time of the issuance thereof a fee in the same amount as prescribed by council resolution for building permit fees.~~

~~Section 844. Issuance of demolition permit.~~

~~If the applicant for a demolition permit complies with the requirements in this division and in the judgment of the building official the structure can be demolished as proposed, then the county shall issue a permit for the removal or demolition of the building, subject to any reasonable restrictions or conditions. The permit shall state the name of the person authorized to remove or demolish the building and the location of the building to be removed or demolished.~~

~~Section 845. Duties of permittees.~~

~~It shall be the duty of the permittee to promptly begin the removal or demolition work authorized by the demolition permit and to work continuously at the normal rate of progress in keeping with good demolition practices until the project is completed.~~

~~Section 846. Abatement by county.~~

~~If the applicant or owner fails to promptly remove or demolish a building or fails or refuses to restore the property from which the building is removed or torn down in the manner described in this division, within thirty (30) days after such removal or tearing down, and after ten (10) days' written notice having been given to such applicant or owner, then the county may proceed to demolish the building or have the necessary work completed on the property, and may recover the expense of such work from the bond required to be posted~~

~~DIVISION 4. RULES AND REGULATIONS~~**~~Section 850. Additional rules and regulations~~**

~~The county commission is given the authority to make rules and regulations in addition to those provided in this article for the protection of the streets and property of the county in the moving of buildings under permit as provided in this article whenever additional rules and regulations are necessary and required.~~

~~DIVISION 5. REVOCATION OF PERMITS~~**~~Section 860. Revocation.~~**

~~The county may revoke any permit granted under the terms of this article if it becomes known to the county that the permittee is in any manner failing to comply with the terms of this article. In the event of such revocation, the person to whom such permit was granted shall thereafter be operating without a permit and shall be subject to penalties as provided in section 1-110. The license granted may be revoked in the manner provided for the revocation of licenses generally.~~

ARTICLE 900. DISPLAY OF ADDRESS NUMBERS***Section 901. Address number required.**

All houses, buildings or structures used or intended for use as living quarters or as a place for the conduct of business in the county **building jurisdictional area** shall have a designated address number conspicuously displayed above or near a door or entrance that faces a public or private street.

Section 902. Designation of address numbers.

The county commission, or their designee, shall designate the proper address numbers for all houses, buildings or structures required to be numbered by section 901. The county commission or their designee shall have the power to change such numbers when, in their judgment, such change is necessary to avoid or eliminate confusion with other numbers

Section 903. Record of address numbers.

The county commission or their designee shall keep a record of all proper address numbers and shall furnish such numbers to any person requesting same.

Section 904. House, building or structure being erected or remodeled required to be numbered.

Any person erecting or remodeling any house, building or structure required to be numbered by section 901 shall ascertain from the county commission or their designee the proper address number for such house, building or structure and shall display said number as provided in this article.

Section 905. Specifications for display of address number.

All address numbers shall be displayed with Arabic numerals, which shall be a minimum of three and one-half ($3\frac{1}{2}$) inches and a maximum of eighteen (18) inches in height having a minimum stem width of one-half ($\frac{1}{2}$) inch and shall be of a contrasting color with the building. No address number shall be obscured from view by vegetation, screening or other means.

Section 906. Alternative method of address display.

A different method of address display may be required by the county commission or their designee for a house, building or structure which is located further from a street than the normal front yard set back.

Section 907. Compliance required; correction of violations.

Any person owning, leasing, occupying or maintaining any house, building or structure which has no number displayed thereon, which displays an incorrect number, or violates this article in any way, when so informed and notified by the county commission or their designee shall put up a number, shall change the incorrect number so that the proper number will be displayed, or shall take any necessary action to comply with this article, within twenty (20) days after the date of such notice.

Section 908. Penalty.

Any person who violates any of the provisions of this article is guilty of a misdemeanor and upon conviction thereof is punishable by a fine not exceeding twenty-five dollars (\$25.00). Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this article is committed, continued, or permitted by such person, and shall be punished accordingly.

ARTICLE 1000. ACCESSIBILITY STANDARDS

ARTICLE 1100. BUILDING CONSERVATION CODE